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Important Notice for All CDL Hazardous Material Endorsement Applicants and Holders

This notice is intended to inform all holders of a Nevada Commercial Drivers License (CDL) with a Hazard Materials Endorsement of important changes to the process of obtaining or renewing any such license. The changes, as discussed below, are being instituted in accordance with the USA Patriot Act of 2001 and are intended to promote national security interests as they relate to the transportation of hazardous materials over the highways.

Effective January 31, 2005, and continuing thereafter, the State of Nevada is prohibited from issuing or renewing a CDL with a Hazardous Materials Endorsement until such time as the holder or applicant has been issued a federal security clearance by the United States Transportation Security Administration (TSA). The security clearance will be electronically transmitted to the Department by TSA after that agency completes a background investigation, including a fingerprint search, and conducts a threat assessment to determine that an applicant or holder meets the established criteria for a Hazardous Material Endorsement. Applicants or holders who receive TSA clearance will have their endorsed licenses issued or renewed promptly.

In the event an applicant or holder of a CDL with a Hazardous Materials Endorsement **does not** meet the established criteria, TSA will notify the applicant or CDL holder of that fact. TSA will also notify the Department that the applicant or holder is disqualified from receiving an endorsement. At that point the disqualified individual may contact the Department to obtain or renew their CDL **without** the endorsement. **Individuals who wish to appeal a disqualification must file their appeal directly with the TSA.**

In order to receive the mandatory security clearance it will be necessary for applicants and holders alike to:

- Complete and submit the security application attached to the license renewal packet or first time CDL application.
- Complete and submit fingerprint cards from a law enforcement agency with the license renewal packet or first time CDL application. Payment of all fees associated with fingerprinting is the responsibility of the applicant or CDL holder. Fee information and fingerprint locations will be included with renewal notices and will also be available on the Department's website, www.dmvnv.com.
- Have no disqualifying events. For your convenience a list of disqualifying events is included on the reverse side of this notice.

More specific and detailed information will accompany your CDL Renewal Notice.

Pursuant to the rules adopted on May 5, 2003, TSA requires an individual who is prohibited from holding a CDL with Hazmat endorsement, based on a disqualifying event, to surrender the endorsement. If you know you will not qualify, you must surrender your endorsement. You may save the fees required for a security clearance by voluntarily surrendering your endorsement at a DMV Field Office. (49 CFR 1572.5)

This notice has been provided as a public service announcement to affected licensees in order to minimize any unnecessary delays or inconveniences. Questions related to this announcement can be directed to:

- TSA On-line @ www.tsa.gov/public
- TSA Media Contact @ 1-866-289-9673
- DMV Offices with CDL Services

Please see the reverse of this notice for disqualifying events

HAZMAT ENDORSEMENT DISQUALIFICATIONS

1. An individual will be disqualified from obtaining a Hazmat endorsement if the individual is wanted, under indictment, has a felony conviction or has been found not guilty by reason of insanity of any of the following crimes:
 - Terrorism
 - Espionage
 - Sedition
 - Treason
 - A crime involving a severe transportation security incident or;
 - Improper transportation of a hazardous material
 - Conspiracy or attempt to commit such crimes.
 2. An individual is disqualified from obtaining a Hazmat endorsement if the individual is wanted or under indictment, has been found not guilty by reason of insanity, was released from incarceration during the previous 5 years or if during the previous 7 years has been convicted of a felony conviction of any of the following crimes:
 - Assault with intent to Murder.
 - Dishonesty, fraud or misrepresentation, including identity fraud.
 - Kidnapping or hostage taking.
 - Rape or aggravated sexual abuse.
 - Unlawful possession, use, sale, distribution, or manufacture of an explosive, explosive device, firearm, or other weapon.
 - Extortion.
 - Robbery.
 - Distribution of, intent to distribute, possession, or importation of a controlled substance.
 - Murder.
 - Smuggling.
 - Bribery.
 - Immigration violations.
 - Violations of the Racketeer Influenced and Corrupt Organizations Act.
 - Conspiracy or attempt to commit any of the crimes listed above.
 3. An individual is also not qualified for a Hazmat endorsement if the individual has a mental defect as defined in Federal Regulations (49 CFR Section 1572.109 Mental Defects).
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On or after January 31, 2005, an individual applying for issuance or renewal of a Hazmat endorsement must be a U.S. citizen or lawful permanent resident of the U.S. Federal regulations require proof of status be submitted at the time of your application for the Hazmat endorsement. Acceptable proof is limited to:

- U.S. Passport.
- Certificate of birth that bears an official seal and was issued by a state, county, municipal authority or outlying possession of the United States.
- Certification of Birth Abroad issued by the U.S. Department of State (Form FS-545 or DS 1350).
- Certificate of Naturalization (Form N-550 or N-570).
- Certificate of U.S. Citizenship (Form N-560 or N-561).
- Permanent Resident Card, Alien Registration Receipt Card (Form I-551).
- Temporary I-551 stamp on foreign passport.
- Temporary I-551 stamp on Form I-94, Arrival/Departure Record with photograph of the bearer.
- Reentry Permit (Form I-327).

On or after January 31, 2005, TSA regulations will not permit DMV to issue or renew a CDL with a Hazmat endorsement to a person who does not meet the qualifications unless a waiver is granted. TSA may grant a waiver for crimes or conditions listed in sections (1), (2), and (3) above, when circumstances lead TSA to believe the applicant does not pose a security threat that warrants denial of the Hazmat endorsement. Additional information on waivers can be found in 49 CFR Section 1572.143, or you may contact TSA directly at the e-mail address or phone number listed on the front page of this notice.